

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

International Application No. : PCT/DE00/02596  
 International Filing Date : 27 JULY 2000  
 U.S. Serial No. : 10/049,464  
 Deposit Date U.S. Nat'l Phase : 13 FEBRUARY 2002  
 Priority Date(s) Claimed : 13 AUGUST 1999  
 Applicant(s) : HUENIG, Thomas

Title: USE OF CD28 SPECIFIC MONOCLONAL ANTIBODIES FOR PRODUCING A PHARMACEUTICAL COMPOSITION FOR TREATING VIRUS INFECTIONS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
 UNDER 35 U.S.C. § 371  
 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
 Box PCT  
 Washington, D.C. 20231  
 Sir:

In response to the Notification of Missing Requirements mailed 18 APRIL 2002, attached is a Declaration and Power of Attorney for Patent Application which has been executed by the inventors, as well as a copy of the Notification.

The Surcharge of \$65.00 for providing the Declaration later than 30 months from the original priority date is attached.

Applicant qualifies for Small Entity status, therefore the fee is \$65.00.

The Patent and Trademark Office is authorized to deduct any additional fees from, or credit any overpayments to, counsel's deposit account No. 13-3402, a copy of this paper being attached.

Respectfully submitted,

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## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**USE OF CD28 SPECIFIC MONOCLONAL ANTIBODIES FOR PRODUCING A PHARMACEUTICAL COMPOSITION FOR TREATING VIRUS INFECTIONS**

the specification of which

☐ is attached hereto

☒ was filed on 27 JULY 2000 as United States Application Number or PCT International Application Number PCT/DE00/02596 and (if applicable) was amended on \_\_\_\_\_

I hereby authorize our attorneys to insert the serial number assigned to this application.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 USC §119			
APPLICATION NO.	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
199 39 653.1	DE	13 AUGUST 1999	YES

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)	
APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under 35 U.S.C. §120 of any United States application, or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PRIOR U.S./PCT INTERNATIONAL APPLICATION(S) DESIGNATED FOR BENEFIT UNDER 37 U.S.C. §120		
APPLICATION NO.	FILING DATE	STATUS — PATENTED, PENDING, ABANDONED

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: 1. William Millen (19,544); John L. White (17,746); Anthony J. Zelano (27,969); Alan E.J. Branigan (20,565); John R. Moses (24,983); Harry B. Shubin (32,004); Brion P. Heaney (32,542); Richard J. Traverso (30,595); John A. Sopp (33,103); Richard M. Lebovitz (37,067); John H. Thomas (33,460); Catherine M. Joyce (40,668); Nancy J. Axelrod (44,014); James T. Moore (35,619); James E. Ruland (37,432); Jennifer J. Branigan (40,921) and Robert E. McCarthy (46,044)

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PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Post Office Address	

☐ Additional joint inventors are named on separately numbered sheets attached hereto.